

**From:** ajablins@enflex.net@inetgw  
**To:** Microsoft ATR  
**Date:** 11/16/01 9:45pm  
**Subject:** The Microsoft Settlement

Dear U.S. Department of Justice Representative,

I was completely appalled by the recent settlement made between the U.S. Department of Justice and Microsoft.

It doesn't come close to offering a remedy that would force a change in the behavior of a company that has been found to be a monopoly. It doesn't come close to punishing a company that has done so much damage to the computer industry.

Microsoft failed to follow instructions the last time it was pursued by the U.S. government. Therefore, the punishment this time should be even worse. Instead, it amounts to a mild scolding, nothing more.

I agreed with Judge Jackson's remedy. The only way to get the monopoly out of Microsoft is to split up the operating system and applications divisions into separate companies. As long as Microsoft is one company, it may continue to make its applications work well with its operating system and make the competitor's products not work as well. It may continue to offer its applications as "part of the operating system", thus forcing the public to buy applications that they may not even want through a higher price for the base operating system product. The public doesn't get to choose the vendor for the applications they want. Microsoft gets to choose. And Microsoft always chooses its own applications.

Microsoft's bullying strategy crushed competing companies in the industry. Microsoft should have to pay reparations to these companies for the damage it caused. This settlement offers nothing to those companies.

Microsoft has bundled even more applications into the XP product. Why would anybody want to go buy a competing product when Microsoft has already bundled it into its operating system product? More of the same strategy. Real Audio will be joining the ranks of Netscape in no time unless the government stops this monster.

Allowing the OEMs to plug in other competitor's products is a nice attempt, but the OEMs must still pay for the competing Microsoft applications because they are included in the XP base operating system price. Unless the OEMs are getting a price break when they uninstall a Microsoft application, I doubt many will want to spend more money to install another vendor's product.

There have been many loopholes identified in the settlement by technical and legal editors on the Internet, especially regarding the term "middleware". That frequently repeated phrase will allow Microsoft to move middleware software into the base operating system and circumvent some of the proposals. And the verbage regarding exceptions to making available the APIs (application protocol interfaces) because they are related to security? Heck, Microsoft will just label as "security related" many of the APIs that have nothing to do with security, just so they won't be available to 3rd party vendors.

This settlement will not level the playing field for competing software companies. Instead, it will just shore up Microsoft's monopoly by providing enough backdoors so that Microsoft can continue its monopolistic practices.

I understand that our country has other pressing demands, like fighting terrorism. But if our country does not punish its own bad guys, how are any other countries to take our interpretation of justice seriously?

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